

AMENDED IN ASSEMBLY JUNE 21, 2006

AMENDED IN SENATE APRIL 27, 2006

AMENDED IN SENATE APRIL 4, 2006

SENATE BILL

No. 1255

Introduced by Senator Cox

February 8, 2006

An act to ~~amend Section 20114~~ *add and repeal Section 20114.5* of the Public Contract Code, relating to local agency contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1255, as amended, Cox. Local agencies: contracts.

Exiting law permits the governing board of any school district to make repairs, alterations, additions, or painting, repainting, or decorating upon school buildings, repair or build apparatus or equipment, make improvements on the school grounds, erect new buildings, and perform maintenance by day labor, or by force account, whenever the total number of hours on the job does not exceed 350 hours. Existing law also permits the governing board of any school district having an average daily attendance of 35,000 or greater to take similar actions wherever the total numbers of hours on the job does not exceed 750 hours or whenever the total cost of material does not exceed \$21,000.

This bill would ~~rescind~~ *rescind* the authority of ~~any school district~~ *specified school districts* to erect new buildings by day labor or force account. ~~This bill would also authorize school districts, having an average daily attendance of 34,999 or fewer, to utilize day labor or force account contract to perform these jobs without regard to the total number of hours, or the cost, to perform these jobs.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 20114.5 is added to the Public Contract
2 Code, to read:

3 20114.5. (a) A county unified school district of class seven,
4 as defined pursuant to Section 1205 of the Education Code, in a
5 county with an estimated population density greater than 200
6 residents per square mile in 2005 shall not be subject to the
7 limitation on the total number of hours on the job for which the
8 school district may perform work by day labor, or force account,
9 as specified in Section 20114, and may not, by day labor or force
10 account, erect new buildings.

11 (b) This section shall remain in effect only until January 1,
12 2010, and as of that date is repealed.

13 ~~SECTION 1. Section 20114 of the Public Contract Code is~~
14 ~~amended to read:~~

15 ~~20114. (a) In any school district having an average daily~~
16 ~~attendance of 34,999 or fewer, the governing board may make~~
17 ~~repairs, alterations, additions, or painting, repainting, or~~
18 ~~decorating upon school buildings, repair or build apparatus or~~
19 ~~equipment, make improvements or repairs on the school grounds,~~
20 ~~and perform maintenance as defined in Section 20115 by day~~
21 ~~labor or by force account. In any school district having an~~
22 ~~average daily attendance of 35,000 or greater, the governing~~
23 ~~board may make repairs, alterations, additions, or painting,~~
24 ~~repainting, or decorating upon school buildings, repair or build~~
25 ~~apparatus or equipment, make improvements or repairs on school~~
26 ~~grounds, and perform maintenance, as defined in Section 20115,~~
27 ~~by day labor or by force account whenever the total number of~~
28 ~~hours on the job does not exceed 750 hours, or when the cost of~~
29 ~~material does not exceed twenty-one thousand dollars (\$21,000).~~

30 ~~(b) For purposes of this section, day labor shall include the use~~
31 ~~of maintenance personnel employed on a permanent or~~
32 ~~temporary basis.~~